

RemarksClaim Objections:

The Examiner objected to claims 24, 25, 26, and 28 for having improper dependency. In response, these claims have been amended accordingly.

Rejections Under 35 USC 102:

Regarding claim 27, claim 28 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 27 was amended to include those limitations originally found in claim 28. Because of this, claim 27 is now in proper condition for allowance.

Claims 1-6, 15, and 23-24 were rejected under 35 USC §102(e) as being anticipated by Radha et al (US Pat. No. 6,639,943). In response, these claims were amended to include the specific limitation that a scalability technique of the one or more scalability techniques is selected based upon the following criteria:

a motion function,

a frame separation function,

a visual quality gain with a SNR scalability function, and

a bitrate of the enhancement layer function.

Analysis of the prior art cited reveals that the prior art fails to teach or otherwise suggest scalability selection based on the above-claimed techniques. Because of this, all claims are in proper condition for allowance.

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No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references. As the Applicant has overcome all substantive rejections given by the Examiner the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's rejections to the pending claims. Therefore, the Applicant respectfully requests allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter. Finally, please charge any fees (including extension of time fees) or credit overpayment to Deposit Account No. 502117.

Respectfully Submitted,
Ishtiaq, ET AL.

by: 

Kenneth A. Haas
Reg. No. 42,614
Phone: (847) 576-6937
FAX: (847) 576-3750

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